

REMARKS

Claims 1, 3 and 6-10 are pending and under consideration. Claim 1 has been amended to more particularly point out and distinctly claim that which the applicant regards as his invention. Support for the amendments to claim 1 is found throughout the specification as filed, and in particular on page 4, lines 4-8 of the English translation of the international application. No new matter is introduced by the amendments. Particular issues raised in the Office action will next be discussed.

Rejection Under 35 U.S.C. § 112, First Paragraph

Claim 1 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner stated that the meaning of the claim term “the final number” is not disclosed in the specification.

In response, Applicant has amended claim 1 to strike the term “the final number” and to recite that “the service connection is a direct-dial connection having a *direct-dial number* which is used as the order code.” (Emphasis added.) Support for this amendment is provided on page 4 of the English translation of the international application. As claim 1, as amended, is clearly enabled by the specification, this rejection should be withdrawn.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1, 3, and 6-10 were rejected under 35 U.S.C., § 112, second paragraph, as indefinite due to alleged lack of antecedent basis for the claim terms “the build-up,” “the requested service,” and “the final number” that appeared in claim 1. The claims have been carefully reviewed and amended as deemed necessary to ensure that they fully comply with the requirements of 35 U.S.C., § 112, second paragraph, with particular attention to the points

raised in the Office action. It is believed that these rejections have been thereby obviated and should be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 1, 3, 6, and 8-10 were rejected under 35 U.S.C. 102(e) as being anticipated by EP 0 765 068 (Ronen).

Claim 1, as amended, recites:

1. A method of billing a fee for a service via an electronic route, comprising the steps of:
a) transmitting a telephone number of a chargeable service telecommunication connection associated with a service provider to a service buyer;
b) monitoring a build-up of the telecommunication connection between the provider and the buyer by a line provider;
c) billing the fee for a requested service via the service connection; and
d) releasing the requested service to the buyer by the service provider,
whereby an order code is allocated and transmitted to the service buyer during transmission of the telephone service number by the service provider, and wherein the service connection is a direct-dial connection having a direct-dial number which is used as the order code.

(Emphasis added.)

Ronen discloses methods for accomplishing billing for Internet-based information and interactive services by making use of 900-number-type telephone services. Such services do indeed comprise “a chargeable service telecommunication connection,” and are essentially similar to the “premium rate” or “0190”-type discussed in the specification of the present application. However, the methods disclosed by Ronen for using such services for information service billing are different from the method claimed in claim 1.

The methods disclosed in Ronen are concerned with the problem of authenticating or identifying the user of the service to the service provider. The main mechanism proposed in Ronen to accomplish this user authentication is the transmission of

what is known in telephone parlance as the Automatic Number Identification (ANI) of the calling party to the service provider. *See, e.g.* Ronen, col. 2, lines 34-41. ANI is simply the number of the calling party telephone, and can usually be supplied to the operator of a 900 number service by internal telephone company arrangements. For those cases where ANI may not be available, Ronen proposes a second method, in which “the ISP supplies the user with an identification number over the Internet which is entered by the user on the 900 number call to the ISP by means of a touch-tone multifrequency input.” Ronen, col. 2, lines 46-50; col. 9, lines 30-51; and Fig. 7. As those of skill in the telephony art understand, such touch-tone signals travel over the established voiceband connection to the other end, where they can be received and analyzed, and are different from the called telephone number used in the initial establishment of the connection.

To summarize, Ronen is concerned with authenticating the *user* to the service provider, and accomplishes this via either 1) the *calling* telephone number (ANI), or 2) end-to-end touch-tone input.

In contrast, the method claimed in claim 1 is concerned with allocating the call to an order by means of an *order code*, and accomplishes this by using the direct dial number itself (*i.e.*, the *called* telephone number) as the order code. Nowhere does Ronen disclose or suggest the allocation of an order code or the use of a direct dial number (called number) as the order code, as claimed in claim 1.

Because Ronen fails to disclose all the steps of claim 1, it cannot anticipate claim 1. Therefore, the rejection of claim 1 under 35 U.S.C. § 102(e) should be withdrawn. Because claims 3, 6, and 8-10 are dependent claims depending from claim 1, the rejections of these claims should also be withdrawn, for at least this reason.

Rejections under 35 U.S.C. § 103

Claim 7 was rejected under 35 U.S.C. § 103 as obvious in the light of Ronen.

Claim 7 is a dependent claim depending from claim 1. As discussed above, claim 1 is patentable over Ronen. Therefore, the rejection of dependent claim 7 should be withdrawn, for at least this reason.

CONCLUSION


In view of the above, applicants respectfully submit that the present application is in condition for allowance. A favorable disposition to that effect is respectfully requested.

As noted in the accompanying Petition for Extension of time, a fee of \$1020.00 for a three-month extension is believed to be due for this submission. Please charge any fee that may be due or credit any overpayment to Jones Day Deposit Account No. 50-3013.

Should the Examiner have any questions or comments concerning this submission, she is invited to call the undersigned at the phone number listed below.

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Respectfully submitted,



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